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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/582,732

06/13/2006

Christian Sandner

SANDNER ET AL -3 PCT

5017

25889

7590

06/08/2007

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EXAMINER

TOLAN, EDWARD THOMAS

ART UNIT

PAPER NUMBER

3725

MAIL DATE

DELIVERY MODE

06/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/582,732

Applicant(s)

SANDNER ET AL.

Examiner

Edward Tolan

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the counter-toothings" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "both face sides over the circumference" in line 9. There is insufficient antecedent basis for this limitation in the claim. No face side or circumference has been set forth.

Claim 2, lines 2 and 3, the terms "is axially clamped for radial clamping" is not clear. It is not clear as to whether the clamps are acting radially or axially.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandner (6,357,272) in view of Miyamoto et al. (5,824,168). Sandner discloses a

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method and apparatus for forming a gearwheel from a powder metal blank (1) supported on a mandrel (2) with a circular pressing tool (3) having counter-toothings (8) engaging toothings (9) of the blank. Sandner does not disclose that the blank is axially clamped between two pressure rings. Miyamoto (fig. 16) teaches two pressure rings (17,19) actuated in an axial direction along a mandrel (14,16) to clamp respective top and bottom faces of a gear blank. The pressure rings are coaxial to the mandrel. Pressure ring (19) is connected with an axial actuator (15). Miyamoto teaches that the pressure rings utilize a locking method wherein the blank position is held rigid and does not fluctuate. It would have been obvious to one skilled in the art at the time of invention to provide Sandner with axially actuated blank clamping as taught by Miyamoto in order to hold the blank tightly during rolling.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandner in view of Miyamoto and further in view of Sakabe (JP 62-57726). Sandner in view of Miyamoto does not disclose that the pressing rings provide locking using axially projecting noses. Sakabe teaches axial projections (5a,5b,8a,8b) for clamping a gear blank (1). It would have been obvious to one skilled in the art at the time of invention to provide the clamping rings of Sandner in view of Sakabe with axial projections as taught by Sakabe for a strong clamping action.

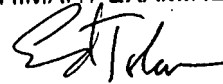
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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525. FAX communications should be sent to 571-273-8300.

EDTOLAN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Ed Tolan', is written over the printed name and title.